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September 22, 2022

By ECF & email

Honorable Laura Taylor Swain
United States District Judge
United States District Court
500 Pearl Street
New York, N.Y. 10007

MEMO-ENDORSED

Re: United States v. Dan Mirica,
19 Cr. 651(LTS)

Dear Judge Swain:

I represent Dan Mirica and request an adjournment of the conference in this matter scheduled for October 6th. The parties arrived at a disposition in this case. An issue exists with meeting Mr. Mirica at the Essex jail, since Romanian interpreters except one are unwilling to enter jails because of Covid concerns. The interpreter willing to enter the jail is unavailable until October 20th.

I think a review of the agreement on the date of the plea may resolve this issue if the plea is scheduled late in the morning or the afternoon in order for me to have sufficient time to review the agreement with my client with the assistance of an interpreter. I will review the agreement with my client via telephone when I receive the agreement.

I request that Your Honor adjourn the plea hearing until the week of October 10th since I am scheduled to commence a five week trial on October 17th although a disposition in that matter is possible before that date. My only conflict is a sentence on October 12th at 2:15 p.m. before the Honorable Alvin K. Hellerstein. I would be available late in the morning that day or after 3:15 p.m. that day.

I consent to an exclusion of time under the Speedy Trial Act until the next scheduled court date.

Assistant U.S. Attorney Elizabeth Hanft advised she does not object to this request.

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Thank you for your consideration of this request.

Respectfully yours,
/s/
Thomas F.X. Dunn

Cc: Elizabeth Hanft, Esq.
Assistant U.S. Attorney
(by ECF & email)

The foregoing request for adjournment is granted. The initial conference and plea hearing is hereby scheduled for October 11, 2022, at 2:30p.m. The Court finds pursuant to 18 USC section 3161(h)(7)(A) that the ends of justice served by an exclusion of the time from today's date through October 11, 2022, outweigh the best interests of the public and the defendant in a speedy trial for the reasons stated herein. Dkt no. 1234 resolved.

SO ORDERED.

/s/ Laura Taylor Swain, Chief USDJ 9/23/2022